

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

NICHOLAS DUPREE AND DEBORAH  
LOGERFO,

PLAINTIFFS

vs.

CITY OF NEW YORK and Bill de Blasio in his  
official capacity as Mayor, City of New York;

CITY OF NEW YORK POLICE  
DEPARTMENT and James P. O'Neill in his  
official capacity as Commissioner, City of New  
York Police Department;

COUNTY OF NASSAU, NEW YORK and  
Edward P. Mangano in his official capacity as  
County Executive, County of Nassau, New York;

NASSAU COUNTY OFFICE OF EMERGENCY  
MANAGEMENT and Craig J. Craft, in his  
official capacity as Commissioner, Nassau County  
Office of Emergency Management;

COUNTY OF SUFFOLK, NEW YORK and  
Steven Bellone in his official capacity as County  
Executive, County of Suffolk, New York;

SUFFOLK COUNTY OFFICE OF EMERGENCY  
MANAGEMENT and Joseph F. Williams in his  
official capacity as Commissioner, Suffolk County  
Office of Emergency Management;

DEFENDANTS.

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ MAY 30 2017 ★

LONG ISLAND OFFICE

Civil Action No. 2:17-CV-00010

**STIPULATION AND PROPOSED  
ORDER RE FILING OF SECOND  
AMENDED COMPLAINT  
PURSUANT TO F.R.C.P. 15(a)**

Plaintiff Deborah LoGerfo and Defendants City of New York, Bill de Blasio in his official capacity as Mayor of the City of New York, City of New York Police Department ("NYPD"), James P. O'Neill in his official capacity as Commissioner, NYPD, County of Nassau, Edward P. Magano in his official capacity as County Executive of the County of Nassau, Nassau County Office of Emergency Management ("Nassau OEM"), Craig J. Craft in his official capacity as Commissioner, Nassau County OEM, County of Suffolk, Steven Bellone in his official capacity as County Executive of the County of Suffolk, Suffolk Office of Emergency Management ("Suffolk OEM"), and Joseph F. Williams in his official capacity as Commissioner, Suffolk OEM, hereby consent and stipulate as follows:

WHEREAS, Plaintiffs filed a Complaint on January 3, 2017;

WHEREAS, Plaintiffs filed an Amended Complaint on January 9, 2017;

WHEREAS, due to an administrative error, the Amended Complaint was filed with two non-substantive inaccuracies;

WHEREAS, Plaintiff Dupree died on February 18, 2017;

WHEREAS, Plaintiff Logerfo seeks to file a Second Amended Complaint correcting the two non-substantive inaccuracies and removing Mr. Dupree as a Plaintiff;

WHEREAS, pursuant to Federal Rule of Civil Procedure 15(a), Defendants City of New York, Bill de Blasio in his official capacity, NYPD, James P. O'Neill in his official capacity, County of Nassau, Edward P. Mangano in his official capacity, Nassau OEM, Craig J. Craft in his official capacity, County of Suffolk, Steven Bellone in his official capacity, Suffolk OEM and Joseph F. Williams in his official capacity consent to the filing of the Second Amended Complaint;

IT IS THEREFORE STIPULATED AND AGREED AS FOLLOWS:

1. That Plaintiff Logerfo's Second Amended Complaint shall be the now-operative pleading in the above-captioned litigation;
2. That on agreement, Defendants shall have 20 days from the date of the Stipulation in which to answer or otherwise respond to the Second Amended Complaint.

**IT IS SO STIPULATED:**

Dated: May 26, 2017  
Brooklyn, New York

By: /S/ Sara Liss

ELIZABETH GROSSMAN EG2478

SARA LISS SL4649

DISABILITY RIGHTS NEW YORK  
Attorneys for Plaintiffs

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Brooklyn, NY 11201  
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Dated: 5/12/17

By: Carolyn Kruk

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New York City Law Department  
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*Counsel for City of New York, Bill de  
Blasio in his official capacity as Mayor,  
City of New York, City of New York  
Police Department, and James P. O'Neill  
in his official capacity as Commissioner,  
City of New York Police Department*

Dated: May 24, 2017By: Ralph Reisman

Ralph Reisman  
Deputy County Attorney  
RReissman@nassaucountyny.gov  
Counsel for County of Nassau, Edward P.  
Mangano in his official capacity as  
County Executive of the County of Suffolk,  
County of Nassau Office of Emergency  
Management, and Craig J. Craft in his  
official capacity as Commissioner,  
Nassau County Office of Emergency  
Management

Dated: May 26, 2017By: /s/ Susan A. Flynn

Susan A. Flynn  
Bureau Chief, Litigation Bureau  
Suffolk County Attorney's Office  
Susan.Flynn@suffolkcountyny.gov  
Counsel for County of Suffolk, Steven Bellone in  
his official capacity as County Executive of  
County of Suffolk, Suffolk County Office of  
Emergency Management, and Joseph F.  
Williams in his official capacity as  
Commissioner, Suffolk County Office of  
Emergency Management

**ORDER**

Based upon the foregoing Stipulation and good cause appearing, IT IS SO ORDERED.

DATED: May 30, 2017S/Joan M. Azrack

Honorable Joan M. Azrack

UNITED STATES DISTRICT JUDGE